

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

April 1, 2016

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, APRIL 1, 2016, BEGINNING AT 9:01 A.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This meeting of the County Council of Maui shall come to order.

Mr. Clerk, please call the roll.

### ROLL CALL

PRESENT: COUNCILMEMBERS GLADYS C. BAISA, ROBERT CARROLL, ELEANORA COCHRAN, DONALD G. COUCH JR., S. STACY CRIVELLO, G. RIKI HOKAMA, VICE-CHAIR DONALD S. GUZMAN, CHAIR MICHAEL B. WHITE.

EXCUSED: COUNCILMEMBER MICHAEL P. VICTORINO.

DEPUTY COUNTY CLERK JOSIAH K. NISHITA: Mr. Chair, we have eight Members present and one Member excused. A quorum is present to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk. And for opening remarks this morning, we have remarks from Gladys Baisa.

### OPENING REMARKS

The opening remarks were offered by Councilmember Gladys C. Baisa.

CHAIR WHITE: Thank you, Ms. Baisa.

And, will all those in the chambers please rise and recite the Pledge of Allegiance with me.

### PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR WHITE: Thank you all. And, please turn off your phones, put them on silent mode.

And, Mr. Clerk, let's proceed.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with the presentation of testimony on agenda items. We have established limited interactive communication that enables individuals from Hana, Lanai and Molokai to provide testimony from our District Offices.

Individuals who wish to offer testimony from Hana, Lanai and Molokai should now sign up with District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located in the eighth floor lobby just outside the chamber door. Testimony at all locations is limited to the items listed on today's agenda.

Pursuant to the Rules of the Council, each testifier may be allowed to testify for up to three minutes. When testifying, please state your name and the name of any organization you represent.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good morning, Chair. This is Dawn Lono at the Hana Office and there is no one waiting to testify.

DEPUTY COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

DEPUTY COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier.

MS. ELLA ALCON: Good morning, Chair. This is Ella Alcon on Molokai and there is no one here waiting to testify.

DEPUTY COUNTY CLERK: Thank you.

Mr. Chair, we have one individual who has signed up to testify in the Council chamber. The first person to testify in the chamber is Susun White, Executive Director for Paia Youth Council, Youth Cultural Center, testifying on Committee Report 16-56.

CHAIR WHITE: Please come forward.

DEPUTY COUNTY CLERK: She is the last individual who has signed up to testify in the Council chamber.

### PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MS. SUSUN WHITE, PAIA YOUTH & CULTURAL CENTER, (testifying on Committee Report 16-56):

Aloha.

CHAIR WHITE: Good morning.

MS. WHITE: My name is Susun White, and I'm the Executive Director of the Paia Youth & Cultural Center. Standing with me today in support is Billy Jalbert who has been the Board President for the Paia Youth Council for the last six years, and Lisa Starr who is the Vice-President and has been on the Board of the Youth Center for the last 16 years.

I would like to thank, first of all, the Council for, and the Committee, for agreeing to extend the lease agreement from 25 years to 35 years for the Paia Youth & Cultural Center. This is really important to us because we have an old building as many of

you know, and it'll enable me to get grants outside of government grants to deal with our building needs. So, we really appreciate that.

I would like to also say that the Paia Youth & Cultural Center, as all of you know we've been up here a number of times, has been in existence now for 24 years. And, we have, I think been remarkably effective in meeting our mission statement which is to "Build Community Through Our Youth". And, we have, pretty much are known to be the main spokesmen's for the North Shore committee, community.

And, I would also like to really thank and have it on record, A&B Properties, who was our former landlord for the past 23 years. And, we had a great relationship with them. And even though they charge us rent, they gave us back everything that they charged in rent through many, many grants over the years. And, also, they provided 24-hour security for us and the youth center in that area, which was very important cause as most of you know, we live in quite a eclectic neighborhood.

So, we are really looking forward to having the same kind of, and maybe better relationship with the County. And, just hope we can be the best partners and do great things in the future.

If any of you, I welcome any of you to come to the Youth Center at any time. You don't have to call. Let us know anything, you can drop-in in our opening hours. Love to show you the place, love to have, introduce you to the youth. And, just want to extend that invitation to you. And, that's all I have to say unless you have any questions.

CHAIR WHITE: Thank you very much, Susun.

Members, any need for clarification of her testimony? Seeing none, thank you, all three of you for being here this morning.

MS: WHITE: Thank you.

CHAIR WHITE: Mr. Clerk, please proceed.

DEPUTY COUNTY CLERK: The next person to testify is Rosemary Robbins, testifying on committee report, County Communication 16-59 and 16-60.

MS. ROSEMARY ROBBINS, (testifying on County Communication Nos. 16-59 and 16-60):

Good morning, everybody.

CHAIR WHITE: Good morning.

MS. ROBBINS: Happy weekend. We are dealing with two items this morning that are coming up again about water. This morning's paper had a presentation from the Mayor in there saying that the water difficulties and other difficulties in infrastructure are not just popping out of nowhere; they've been problems for a long time. And, they've been accumulating in the costs both by way of the replacement and building of new things. And, by way of paying legal fees for stuff that should have been done a long time ago, and that were not done properly. And, we're paying a hefty situation for that, and it's coming out of bond funding.

That's scary. Bonds have to be paid off. And, we are so far in debt, I mean, we're talking about millions of dollars here. And, it's just, it's just the, you do the math, it doesn't work out. So, we're talking about yearly increments of our having to pay back on these, which means that the people who are coming after us, as well as we ourselves at this point, are ending up footing these bills that are just plain astronomical.

So, I would ask you to make sure that when you're reading this morning's paper or however you get that information, that the current as of today's date, letter from the Mayor, acknowledges that this is a problem.

I also would like to remind us that for the water information that we got from the Water Department, yea the, the long-term debt \$27,000,413.23, that we need to be paying off on that; huge.

Okay, and also in terms of the water materials that were brought in about the, the use and the development of water, there are parts of our island of Maui and the other two islands that have had no development at all to speak of, in terms of increasing population. But, there is evidence of the increasing population. So, we need to get those to come together to realistically admit that we can't just keep spending or borrowing.

And, when we have the State suing Maui for lack of their having been in full compliance, I don't know. If I were at the State, I'd be wondering why Maui wants us to then partner up with them. It's just not adding up. We need to get that added up.

So, thank you very much for, bless you, for realistically going over what those debts are, and how they came to be, and how long they're going to haunt us, and who's going to be paying for that. Thank you.

CHAIR WHITE: Thank you, Ms. Robbins.

Members, any need for clarification of her testimony? Seeing none, thank you very much for being here this morning.

MS. ROBBINS: You're welcome.

CHAIR WHITE: Mr. Clerk.

DEPUTY COUNTY CLERK: The next person to testify is David Tamanaha, Vice-Chancellor for Administrative Services, testifying on Committee Report 16-57.

MR. DAVID TAMANAHA, VICE CHANCELLOR FOR ADMINISTRATIVE SERVICES, UNIVERSITY OF HAWAII, MAUI COLLEGE, (testifying on Committee Report 16-57):

Good morning--

CHAIR WHITE: Good morning.

MR. TAMANAHA: --Chair White, Councilmembers. Thank you for allowing me to testify this morning. I, I came in last minute and just made it on time. So, yes, I'd like to testify on the proposed lease amendment.

And, it's the piece of property that alongside Kaahumanu Avenue where the old dormitories exist. We vacated the dormitories for maybe seven years now, and we have a project to renovate those dorms, and I wanted to talk about it.

So, let me begin by sharing the purpose. The purpose is, we're going to repurpose actually those buildings. And, it's going to become what we hope to be the Hospitality Academy of Maui. And, it's, it's to be used to provide our students with hands-on training in an experience running a hotel. And, it also going to support other degree programs such as culinary, business, and also active learning for even construction programs within our campus college. The project has had strong local support within the industry, Statewide as well.

The first phase, unfortunately, we don't have sufficient monies to renovate all four buildings. First phase is to address and renovate the first two buildings that's closest to Kaahumanu Avenue.

The second phase is probably several years away. We're doing fundraising campaign to acquire CIP monies, we don't have sufficient right now. But, because

we only have sufficient monies for the first two buildings, for the first few years, the program is only going to do education training for students. There's not going to be public service in terms of us offering hotel accommodations to the public. The economics don't allow for that. So, you won't see something like that for several years.

So, I'll hang around, be happy to answer questions. But, again, thank you. Thank you for allowing me to testify.

CHAIR WHITE: Thank you, Mr. Tamanaha.

MR. TAMANAHA: Again, we hope, hope you support it.

CHAIR WHITE: Members, any need for clarification?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman. I thank our Chair, Ms. Crivello, for doing good work on this review. Couple of things that I just wanted to be very clear.

CHAIR WHITE: Mr. Tamanaha.

COUNCILMEMBER HOKAMA: Mr. Tamanaha.

MR. TAMANAHA: Sorry.

COUNCILMEMBER HOKAMA: I, my, you know, was not present at that meeting so my, my question is about the comment in our report that talks about the establishment of the hotel.

MR. TAMANAHA: Yes.

COUNCILMEMBER HOKAMA: Can you give me a little bit more comment of what is this establishment of a hotel, please?

MR. TAMANAHA: It's, it's primarily, actually, a educational operation is, one could similarly, I guess the closest comparison we have now is our Culinary Program where we provide food service on campus.

COUNCILMEMBER HOKAMA: Right.

MR. TAMANAHA: And--

COUNCILMEMBER HOKAMA: Very good food service.

MR. TAMANAHA: Yes. And, it's our culinary students who is providing the service. They're learning hands-on in, downstairs in the food court, as well as upstairs in the fine dining. It's very similar to that except now it's in a hotel environment where they get to learn how to manage a hotel in a simulated fashion, and very down, small-scale.

COUNCILMEMBER HOKAMA: Okay, so, when you are, the University assured this, the Committee about requirements for permits and taxation. What is your understanding regarding taxation for this hotel operations?

MR. TAMANAHA: That's a great question, because I think the first time we, we were made aware that there's a, I think it's that transient accommodations tax that we need to understand how it is it applies to the, the Hospitality Academy. We haven't done significant research yet. And, our lawyers are looking at it now. But, we can assure the Council that whatever it takes for us to comply, we will comply. And, if it requires us not to provide public service and we just offer it to our students, that's what we'll do.

COUNCILMEMBER HOKAMA: Okay. Okay. And, please check on the real property component too--

MR. TAMANAHA: Yes.

COUNCILMEMBER HOKAMA: --please, Mr. Tamanaha. The last thing I just want to share with you, because we do have Mr. White and Ms. Baisa going to Oahu this afternoon on the people's behalf--

MR. TAMANAHA: Yes.

COUNCILMEMBER HOKAMA: --for this County. I would just ask that you consider whenever you have your opportunity to talk to the Legislature, particularly Senator's Kobayashi, Tokuda, Kim.

MR. TAMANAHA: Yes.

COUNCILMEMBER HOKAMA: Please make them aware of how this County that you are, that you reside in works with the State entities, such as your school, to make things happen in this County for the benefit of the same constituents that they serve.

MR. TAMANAHA: Yes.

COUNCILMEMBER HOKAMA: Because there seems to be a big disconnect there that this County does not support or have appropriated County funds for seven State departments, okay. County funds for State programs such as yours, your dental program, your nursing program, your culinary; we have supported that school with County monies for years and years.

And I would just ask that you share that with those on Oahu who feel that the County just takes and does not provide. So, I share that with you because I think that's an important message that you can help reinforce, because the people know on, of this County what's happening; the Councilors know, you know, Mr. Tamanaha. We need to get Oahu to understand that it is a different environment and situation here in our County, and that we try to help each other because it's for our people's mutual benefit.

MR. TAMANAHA: Thank you. I will.

COUNCILMEMBER HOKAMA: Thank you so much.

MR. TAMANAHA: I promise you. Thank you.

COUNCILMEMBER HOKAMA: Thank you so much.

CHAIR WHITE: Members, any further need for clarification?

Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair. Thank you. And, like myself, hi, nice to see you, Mr. Tamanaha. And, like myself, I was not present at, in this Committee, not a voting member so and unfortunately, but reading the, the summary of the meeting itself.

So in it, it make, it makes note, I guess there was some discussion about taking away from student housing. It's such a needed thing in our community. And, it stated that University works to make neighboring properties available--

MR. TAMANAHA: Yes.

COUNCILMEMBER COCHRAN: --for, for these types of units for the students. So, this is, it says privately-owned housing units, so just neighbor, homes, private homes? You

folks try to, I don't know, work with them to do rentals for your students? What, what does that mean?

MR. TAMANAHA: We, we have some of those homestay program, but what we also have is, actually what precipitated the closure of the dormitories seven years ago, and the County worked it, like Chair Hokama, I mean Councilmember Hokama, talked about the County worked with us really well to help us get approval to construct the private dormitories. Kulana`ao now I think it's called Waterfront.

And, those private dormitories, when that opened, our dormitories, because it's brand new, the Waterfront, most of the students wanted to move over. And the, the pricing was fairly equal. So, that precipitated the closure, because we didn't have enough students wanting to move into our dormitory. So, there's sufficient student residences around the college.

COUNCILMEMBER COCHRAN: Okay. All right. Well, good to know; very, very good.

And, and then it says this teaching hotel hands-on experience will have the transient accommodations open to the general public. So, like an actual hotel then; the people will check in and get, you know, a room key, and go to their, like--

MR. TAMANAHA: Yes.

COUNCILMEMBER COCHRAN: --you do if you checked into Kaanapali Beach Hotel or, or some other hotel?

MR. TAMANAHA: Yes. And--

COUNCILMEMBER COCHRAN: Okay. Interesting.

MR. TAMANAHA: --the operation primarily done by students for their learning experience.

COUNCILMEMBER COCHRAN: Okay. Very interesting. Okay, well thank you.

MR. TAMANAHA: Thank you.

COUNCILMEMBER COCHRAN: Thank you for your out of the box thinking here. Thank you.

CHAIR WHITE: Okay, Members, any further clarification? Seeing none, thank you very much for being here, Mr. Tamanaha.

MR. TAMANAHA: Thank you, Chairman.

CHAIR WHITE: Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, there are no further individuals signed up to testify in the Council chamber. If there are any additional individuals in the Council chamber or at the District Offices who would like to offer testimony, please identify yourself to the appropriate staff and proceed to the testimony lectern or District Office conference call at this time.

Hana Office, are there any additional testifiers?

MS. LONO: The Hana Office has no one waiting to testify.

DEPUTY COUNTY CLERK: Thank you.

Lanai Office, are there any additional testifiers?

MS. FERNANDEZ: There is no one waiting to testify at the Lanai Office.

DEPUTY COUNTY CLERK: Thank you.

Molokai Office, are there any additional testifiers?

MS. ALCON: There's no one here on Molokai waiting to testify.

DEPUTY COUNTY CLERK: Mr. Chair, there are no other individuals in the District Offices nor the chamber who wish to offer testimony.

CHAIR WHITE: Thank you, Mr. Clerk.

Without objections, Members, we'll close public testimony.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you very much.

And, we'll move on with the agenda. Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with minutes.

## MINUTES

The minutes of the Council of the County of Maui's regular meeting of February 26, 2016, was presented at this time.

CHAIR WHITE: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

I MOVE TO APPROVE THE REGULAR MINUTES OF  
FEBRUARY 26, 2016.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Mr. Couch.

Mr. Guzman.

VICE-CHAIR GUZMAN: Nothing further. Thank you, Chair.

CHAIR WHITE: Thank you.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused";  
Mr. Victorino.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with committee reports.

## COMMITTEE REPORTS

### COMMITTEE REPORT

NO. 16-49 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Resolution 16-52, entitled "AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM," be ADOPTED; and
2. That County Communication 16-12, from the Community Development Block Grant Program Manager, be FILED.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, with no objections, I would ask the Clerk to bring up Report 16-50.

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

### COMMITTEE REPORT

NO. 16-50 - BUDGET AND FINANCE COMMITTEE:

Recommending that Bill 32 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE - SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF PUBLIC WORKS (FEDERAL HIGHWAY ADMINISTRATION, FEDERAL-AID AND OTHER

TRANSPORTATION GRANTS)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you so much.

I MOVE THAT COMMITTEE REPORTS 16-49 AND 16-50,  
WITH ITS RECOMMENDATIONS, BE ADOPTED.

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Mr. Couch.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, very quickly. The first component is as it regards to the Community Development Block Grant Program, or CDBG, whereby we receive HUD monies from the Federal government for worthy designated projects within the County of Maui. And, I thank Mr. Pontanilla for a job well done.

Under the second item, it is to receive \$5.5 million of Federal Highway Funds to work on various Maui, County of Maui highway projects. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Members, any further discussion on these two items? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: Relative to Committee Report 16-49, RESOLUTION 16-52.  
Relative to Committee Report 16-50, BILL 32 (2016).

COMMITTEE REPORT

NO. 16-51 - BUDGET AND FINANCE COMMITTEE:

Recommending that Bill 33 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2016, HIGHWAY BEAUTIFICATION AND DISPOSAL OF ABANDONED VEHICLES REVOLVING FUND," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, with no objections, I would like the Clerk to bring up all committee reports remaining under Budget and Finance, up to and including 16-54.

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you. So, ordered.

Mr. Clerk.

COMMITTEE REPORT

NO. 16-52 - BUDGET AND FINANCE COMMITTEE:

Recommending that Bill 34 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS; TOTAL OPERATING APPROPRIATIONS; AND TOTAL

APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

COMMITTEE REPORT

NO. 16-53 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 35 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; COUNTYWIDE, OTHER PROJECTS, COUNTYWIDE EQUIPMENT; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That Bill 36 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4228, BILL NO. 35 (2015), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (COUNTYWIDE EQUIPMENT)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

COMMITTEE REPORT

NO. 16-54 - BUDGET AND FINANCE COMMITTEE:

Recommending that Bill 37 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WASTEWATER ADMINISTRATION PROGRAM - SEWER FUND, DEPARTMENT OF FINANCE, COUNTYWIDE COSTS; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT COMMITTEE REPORTS 16-51 UP  
TO AND INCLUDING 16-54, PASS FIRST READING AND BE  
ORDERED TO PRINT.

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, with a second from Mr. Couch.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, your Committee has vetted the following items in the four Committee Reports. Basically, they are housekeeping or maintenance actions of the Council to require that appropriate funding levels are in the accounts for the Departments to be able to place appropriate cost center expenses, as well as taking care of additional needs from bid responses that have been a lot higher than anticipated through the project process. Thank you.

CHAIR WHITE: Members, any further discussion on these items? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, relative to Committee Report 16-51, is BILL 33 (2016). Relative to Committee Report 16-52, BILL 34 (2016). Relative to Committee Report 16-53, BILLS 35 and 36 (2016), respectively. And, relative to Committee Report 16-54, BILL 37 (2016).

COMMITTEE REPORT

NO. 16-55 - COMMITTEE OF THE WHOLE:

Recommending the following:

1. That Resolution 16-53, entitled "AUTHORIZING SETTLEMENT OF TREMAINE BALBERDI V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 5-14-00322," be ADOPTED;
2. That Resolution 16-54, entitled "AUTHORIZING SETTLEMENT OF KATHLEEN KERN V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 5-14-00330," be ADOPTED;
3. That Resolution 16-55, entitled "AUTHORIZING SETTLEMENT OF JAMES A.Q. GIROUX V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 5-14-00345," be ADOPTED;
4. That Resolution 16-56, entitled "AUTHORIZING SETTLEMENT OF MARK A. KING V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 5-14-00348," be ADOPTED; and
5. That Resolution 16-57, entitled "AUTHORIZING SETTLEMENT OF DOUGLAS MILLER V. COUNTY OF MAUI, DISABILITY COMPENSATION DIVISION CASE NO. 5-14-00526," be ADOPTED.

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

MOVE TO ADOPT THE COMMITTEE RECOMMENDATIONS  
IN, IN REPORT 16-55.

COUNCILMEMBER CRIVELLO:

I SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman, with a second from Ms. Crivello.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. Your Committee met on December 11, 2015, and March 18, 2016, to consider requests by the Department of Corporation Counsel to authorize settlement of five workers' compensation cases arising from an air crash on the island of Lanai on February 26, 2014.

Your Committee notes it previously authorized settlement of these cases by Resolution 15-81 through 15-85, adopted on July 24, 2015.

Your Committee further notes four of the five claimants were employees of the Department of Planning at the time of the incident. And, the fifth claimant was an employee of the Department of Corporation Counsel. All five individuals were on Lanai to staff a Lanai Planning Commission meeting and were returning to Maui aboard a plane operated by Maui Island Air, Inc. when the incident occurred.

Since the prior resolution was adopted, an arbitration was conducted between Maui Island Air, Inc., and the estate of the pilot, and the claimants. According to the Department of Corporation Counsel, its Deputy, through the arbitration, a settlement was reached among the claimants, the air carrier, and the pilot's estate.

The Corporation Counsel explained that, despite the delicate circumstances associated with the incident, the Department's obligation under the Charter is to inform your Committee of the applicable workers' compensation laws and the County's legal rights.

The Deputy noted that the claimants have requested the County waive its right to reimbursement for previously paid workers' compensation benefits under State law, thereby allowing the claimants to retain the full proceeds of their settlement with the air carrier and the pilot's estate.

Following an executive meeting, your Committee voted 6-0 to recommend the adoption of five proposed resolutions to authorize settlement of the matters under the terms proposed in executive session.

I ask the Members for full support of this motion. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Guzman.

Members, any further discussion on this item?

Mr. Couch.

COUNCILMEMBER COUCH: Thank, thank you, Mr. Chair. And, I appreciate Mr. Guzman's comments. And, I just want, you know, there's some, apparently, some misinformation out there. I just want people who have concerns about this issue to contact Corporation Counsel to, to see what the situation is. I've been contacted by a couple people who were concerned about this. So, I just wanted to get that out there that they should contact Corporation Counsel. Thank you.

CHAIR WHITE: Thank you.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman. I speak in support of the motion. I do have reservations, however. While it is a very difficult situation for those families, it is also a difficult situation for this County as an employer.

Any time you have major incidents, it's dramatic and traumatic for many, and I understand that Chairman. However, as Councilors, besides the needs of those immediate employees, we still need to also keep in mind the total perspective of the interest of the County of Maui, and the total citizen base.

My concerns come, and potential concerns come in the future of whether or not how it impacts us regarding our insurance policies. And, that is something we need to take in account, and will continue to discuss in the Budget process. So, I thank you for this opportunity to share my comments. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Any further comments? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, RESOLUTIONS 16-53, 16-54, 16-55, 16-56, and 16-57, respectively.

COMMITTEE REPORT

NO. 16-56 - ECONOMIC DEVELOPMENT, ENERGY, AGRICULTURE, AND RECREATION COMMITTEE:

Recommending the following:

1. That Resolution 16-58, entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO PAIA YOUTH COUNCIL, INC." be ADOPTED; and
2. That County Communication 15-91, from the Director of Parks and Recreation, be FILED.

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 16-56.

COUNCILMEMBER COCHRAN:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Ms. Cochran.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. Your Committee met on June 16, 2015, September 15, 2015, March 15, 2016, to consider a proposed resolution to authorize the grant of a 35-year lease, for \$1 a year, the facility known as the Paia Youth Center and adjacent area consisting of 0.918 acres in Paia, Maui, Hawaii, to the Paia Youth Center, Inc. [sic], a nonprofit organization, for the purposes of providing a

drop-in youth center, young adult mentoring program, lifestyles skills program, and skate park.

The Paia Youth Council has provided recreational, social, educational, vocational, and cultural experiences at the facility for over 30 years under a lease with the previous property owner, A&B Properties, Inc., and more recently under the temporary extensions of the lease as assumed by the County upon its purchase of the property in 2014.

Pursuant to Section 3.36.090 of the Maui County Code, the Council may authorize the grant of a lease of the real property at less than fair market value by resolution.

The Director of Parks and Recreation stated that the estimated fair market value of the annual rental for the facility is \$4,995, and the Department supports the resolution.

Your Committee supported the resolution, supports the resolution, and commended Paia Youth Council for its great work with Maui youth.

I respectfully ask the Council for its full support of the Committee's recommendations. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Guzman.

Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, RESOLUTION 16-58.

COMMITTEE REPORT

NO. 16-57 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION  
COMMITTEE:

Recommending the following:

1. That Resolution 16-59, entitled "AUTHORIZING THE FIRST AMENDMENT TO THE UNIVERSITY OF HAWAII, MAUI COLLEGE, STUDENT HOUSING LEASE," be ADOPTED; and
2. That County Communication 16-36, from the Director of Housing and Human Concerns, be FILED.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 16-57.

COUNCILMEMBER BAISA:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Ms. Crivello, and a second from Ms. Baisa.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. Your Housing and Human Services and Transportation Committee met on March 17, 2016, to discuss a proposed resolution from the Director of Housing and Human Concerns, entitled "AUTHORIZING THE FIRST AMENDMENT TO THE UNIVERSITY OF HAWAII, MAUI COLLEGE, STUDENT HOUSING LEASE".

The original lease was entered into in December of 1980, specifically for student housing.

The proposed resolution authorizes UH Maui College to broaden the use of the leased property from student housing to administrative, educational, and student and faculty housing purposes.

Currently, two of the four buildings are used as classrooms for the hospitality program. The University's intent is to transform the facility into a teaching lab for the hospitality program.

Phase 1 entails remodeling two of the four buildings on the property with a \$3.5 million appropriation from the State that needs to be encumbered by the end of this fiscal year. The remodeling will transform the four buildings into a teaching hotel, allowing hands-on experience with transient accommodations available to the public.

The Planning Department confirms that the property's zoning and community plan designation allows for the uses in the amendment. Further, the property is an, in an SMA area. And, the University will be required to obtain the necessary permits.

The University assured the Committee that they will comply with State and County requirements for permits and taxation upon establishing its said facility which they call Hospitality Academy of Maui.

Your Committee was also concerned with the loss of student housing. And, the University stated they will work to make neighboring properties and privately owned housing units available.

Your Committee recommended adoption of the revised proposed resolution and the filing of the communication.

I ask Members for your support. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Crivello.

Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, RESOLUTION 16-59.

Mr. Chair, proceeding with county communications.

### COUNTY COMMUNICATION

NO. 16-56 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,  
(dated March 16, 2016)

Reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of February 29, 2016.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I would request, regarding this communication and all future communications of this matter be referred to Committee. Thank you.

CHAIR WHITE: Thank you.

Members, any--

COUNCILMEMBER COCHRAN: No objections.

CHAIR WHITE: --any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you.

Mr. Clerk.

The recommended action is that County Communication No. 16-56 be referred to the Budget and Finance Committee.

NO. 16-57 - ALAN M. ARAKAWA, MAYOR,  
(dated March 16, 2016)

In accordance with Sections 2.40.150 and 12.24A.030, Maui County Code, informing of the appointments of Mark Dobbertin and Christopher Reynolds (Reappointment) to the Maui County Arborist Committee.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

I MOVE TO FILE COUNTY COMMUNICATION NO. 16-57.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Couch, and a second from Mr. Hokama.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. This is just a formality informing the Council of the appointments of Mark Dobbertin and Christopher Reynolds to the Maui County Arborist Committee.

CHAIR WHITE: Thank you.

Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

NO. 16-58 - MIKE WHITE, COUNCIL CHAIR,  
(dated March 24, 2016)

Transmitting a report on the disposal of structures at Kapua`ulua (formerly known as Montana Beach) located in Paia, Maui, Hawaii, pursuant to Resolution 12-87.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

I MOVE TO FILE COUNTY COMMUNICATION 16-58.

COUNCILMEMBER CARROLL:

SECOND.

CHAIR WHITE: We have a motion from Mr. Couch, with a second from Mr. Carroll.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. This is a report that was transmitted a while back, and it's finally coming up here. It's a report on the disposal of structures at Kapua`ula [sic] which was formerly known as Montana Beach located in Paia.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

NO. 16-59 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,  
(dated Marcy 7, 2016)

Transmitting the Department of Water Supply water use reports for December 2015 and January 2016 received from the State of Hawaii Commission on Water Resources Management for all registered well reporters for Maui County.

CHAIR WHITE: Ms. Baisa.

COUNCILMEMBER BAISA: Thank you, Chair.

I MOVE TO FILE COMMUNICATION NO. 16-59.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Ms. Baisa, with a second from Mr. Couch.

Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. No further discussion. This is a routine report that we file, and is available for those who would like to take a look at it.

CHAIR WHITE: Thank you.

Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with county communications for referral.  
The following county communications are recommended for referral to the following  
Committees as noted.

NO. 16-60 - ALAN M. ARAKAWA, MAYOR,  
(dated March 24, 2016)

Relating to the proposed Fiscal Year 2017 Budget including the following:

1. Mayor's Budget Proposal;
2. A proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017";
3. A proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO THE CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2017";
4. A proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR LOANS FROM THE STATE OF HAWAII'S WATER POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER PROJECTS, FISCAL YEAR 2017 BUDGET ORDINANCE";
5. A proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S DRINKING WATER TREATMENT REVOLVING LOAN FUND FOR VARIOUS WATER PROJECTS, FISCAL YEAR 2017 BUDGET ORDINANCE";

6. A proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE OF FIFTY-EIGHT MILLION THREE HUNDRED NINETY-TWO THOUSAND DOLLARS (\$58,392,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI FOR THE PURPOSE OF PROVIDING FUNDS TO PAY ALL OR A PART OF THE COST OF APPROPRIATIONS FOR PUBLIC IMPROVEMENTS OF AND FOR THE COUNTY OF MAUI; FIXING THE FORM, DENOMINATIONS AND CERTAIN OTHER FEATURES OF SUCH BONDS AND PROVIDING FOR THEIR SALE; AUTHORIZING THE DIRECTOR OF FINANCE TO DETERMINE CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE ISSUANCE AND SALE OF A LIKE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS; AND PROVIDING FOR OTHER ACTIONS RELATED TO THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS";
7. A proposed bill entitled "A BILL FOR AN ORDINANCE DETERMINING THAT PART OF THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI HERETOFORE ISSUED IS IN EXCESS OF THE AMOUNTS REQUIRED FOR THE PURPOSES FOR WHICH SUCH BONDS WERE INITIALLY ISSUED, OR MAY OR SHOULD NOT BE APPLIED TO THOSE PURPOSES, AND DIRECTING SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI";
8. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.24A, MAUI COUNTY CODE, RELATING TO THE MAUI COUNTY ARBORIST";
9. Mayor's Budget Proposal Synopsis; and
10. CD of the Fiscal Year 2017 Mayor's Budget Proposal.

The recommended action is that County Communication No. 16-60 be referred to the Budget and Finance Committee.

NO. 16-61 - CAROL K. REIMANN, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated March 14, 2016)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.96, MAUI COUNTY CODE, RELATING TO THE RESIDENTIAL WORKFORCE HOUSING POLICY CREDIT REQUIREMENTS AND DEED RESTRICTIONS".

The recommended action is that County Communication No. 16-61 be referred to the Housing, Human Services, and Transportation Committee.

NO. 16-62 - ELLE COCHRAN, COUNCILMEMBER,  
(dated March 24, 2016)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 20.18, MAUI COUNTY CODE, RELATING TO PLASTIC BAG REDUCTION".

The recommended action is that County Communication No. 16-62 be referred to the Infrastructure and Environmental Management Committee.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, are there any objections to the referrals as read by the Clerk?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you. So ordered.

Mr. Clerk, please proceed.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with ordinances, second and final reading.

ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 29 (2016)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2016 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO ESTIMATED REVENUES;  
DEPARTMENT OF FINANCE, COUNTYWIDE COSTS;  
DEPARTMENT OF PARKS AND RECREATION, PARK MAINTENANCE PROGRAM,  
WAIERU GOLF COURSE PROGRAM - GOLF FUND;  
TOTAL OPERATING APPROPRIATIONS; AND  
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you. That was quite impressive, Mr. Clerk.

I MOVE THAT BILL 29 PASS SECOND AND FINAL READING.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Mr. Couch.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, this is just housekeeping bill to change funds from "B" and "C" accounts. Thank you.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 30 (2016)

A BILL FOR AN ORDINANCE REPEALING CHAPTER 13.04,  
MAUI COUNTY CODE, AND ESTABLISHING A  
NEW CHAPTER 13.04A, MAUI COUNTY CODE,  
RELATING TO PARKS AND RECREATIONAL FACILITIES, AND  
AMENDING SECTION 6.04.090, MAUI COUNTY CODE,  
RELATING TO ANIMAL CONTROL OFFICERS

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

I MOVE TO PASS BILL 30 ON SECOND AND FINAL  
READING.

COUNCILMEMBER COCHRAN:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Ms. Cochran.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. The proposed bill would revise provisions dealing with the regulations and management of the County parks and recreational facilities.

It makes improvements to the permit process by redefining permit types and requirements, improves the ability of the Department of Parks and Recreation to rent parks equipment, including renting to nonprofit organizations that benefit the County. And, addressing the handling of feral animal colonies in the County parks.

Also, the proposed bill would add Waiale Park in Wailuku to the list of County parks where consumption of alcohol is prohibited, except as authorized by permit, license, lease, or concession.

The proposed bill was requested by the Department of Parks and Recreation as part of its initiative to reconstruct activities related to the parks and recreational facilities.

I respectfully ask the Members to support this bill. Thank you.

CHAIR WHITE: Thank you, Mr. Guzman.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, I thank Mr. Guzman for a lot of work that went into this, and I, I know we had a lot of meetings on it. And, as we discussed yesterday in, in Budget and Finance Committee, there has been attempts to streamline processes, and this was one good attempt. So, I, I commend Mr. Guzman for a job well done. Thank you.

CHAIR WHITE: Any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. I speak in support of the motion on the floor. I want to thank Mr. Guzman, as our Chairman, for shepherding this through. It's been a difficult thing. I have been waiting 15 years to reach this point of time, Mr. Chair.

CHAIR WHITE: We, we know you're a very patient man.

COUNCILMEMBER HOKAMA: So, it does show that government can move and make adjustments. Sometime it takes a little longer, but I believe this was worth 15 years for me.

And, from the point of moving this Department forward, this ability of this Department now to help bring in revenues to the County for the further maintenance and improvements that the community wishes to have in its park and recreational facilities. The ability of concessions to bring in revenues from sources that our sister counties currently utilize to their residents' benefit, is now being provided as an opportunity to our communities through this action this morning.

So, I want to thank, you know, it took a lot of people, Chair. It took, like I said, for me it's a 15 year path that we had to travel, and there are many people involved. So, former Director's like Miyazono, Correa, now we have Mr. Buenconsejo, the Deputy Ms. Savage, who really took it over the final ten yards and into the goal, end zone. So, I want to thank them for placing us in a situation that I look forward to as an enterprise department.

And, if it's just a tad successful as others that I have seen, I think the people of this County will be very happy to see and utilize the improvements, and the type of maintenance that our community wishes to have, deserves to have, and can have with the passage of this bill. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Members, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 31 (2016)

A BILL FOR AN ORDINANCE REPEALING CHAPTER 3.34,  
MAUI COUNTY CODE, RELATING TO THE  
RENTAL HOUSING DEVELOPMENT REVOLVING FUND

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE TO PASS BILL 31 (2016) ON SECOND AND FINAL  
READING.

COUNCILMEMBER BAISA:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Ms. Crivello, and a second from Ms. Baisa.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. The Rental Housing Development Fund was established in 1990 to deposit all County rental housing project monies for the purpose of developing rental housing projects.

Bill 31 repeals Chapter 3.34, Maui County Code, eliminates the Fund, and transfers the balance to the Affordable Housing Fund.

The Rental Housing Development Fund has sat dormant for 15 years, and has a current balance of \$52,775.

Developing County rental housing is a permitted use of the Affordable Housing Fund, therefore, allowing the balance to be used for those same purpose.

I ask for the Council's full support. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Crivello.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,  
COCHRAN, COUCH, CRIVELLO, HOKAMA,  
VICE-CHAIR GUZMAN AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER VICTORINO.

CHAIR WHITE: Measure passes with eight "ayes", zero "noes", and one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, there is no further business before the Council.

CHAIR WHITE: Thank you very much. Thank you everybody for your attendance today.

And, as Ms. Baisa suggested at the opening of our meeting, please wish us good luck, and keep us in our, in your prayers for this afternoon's appearance at the House Finance Committee.

As we've said many times in this chamber, the, the distribution of TAT revenues is not fair at this point. Maui generates approximately \$130 million, and we receive \$23 million back. The State over the last seven years has increased their take from 8.3 million to over 205 million, while the Counties have received just \$2 million each year.


During that same time, our parks and recreation cost for the four counties, that, that, that \$2.2 million just goes to all four counties. It's not Maui County's share. During that same timeframe, Police, Fire, and Parks, expenses for the four counties have increased by \$170 million.

The State took the money when they needed to balance their budget. Our tax base dropped in the neighbor islands, especially dropped considerably more than the State's impacted tax base. So it's, it's time for them to recognize that the, the time for taking is over, and the time for sharing has returned. So, wish us all the best.

With that, we are adjourned. Mahalo.

ADJOURNMENT

The regular meeting of April 1, 2016 was adjourned by the Chair at 9:55 a.m.

  
DENNIS A. MATEO, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

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